

State of Alabama

Shelby County

## **STATUTORY WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of ~~\$10,000~~ <sup>\$5,000.00</sup> and other good and valuable considerations, the sufficiency of which is hereby acknowledged, in hand paid to AMY ELIZABETH WITTEN, a single woman, and JOHN WARREN WITTEN, a single man, being the sole beneficiaries of the Estate of Culpepper Exum, III, who died February 21, 2002, a resident of Shawnee, Kansas, hereinafter referred to as grantors, by DOROTHY WOOD RODEN, a widow, and ELIZABETH EXUM WITTEN, a single woman, the receipt and sufficiency of which is hereby acknowledged, Grantors do hereby grant, bargain, sell and convey unto Grantees, subject to the matters hereinafter set forth, the following described real estate situated in Shelby County, Alabama, to-wit:

Unto DOROTHY WOOD RODEN, an undivided one-half interest in the following described real estate, for and during her lifetime, and the remainder to GAYLE RODEN COLE, her heirs or assigns; and to ELIZABETH EXUM WITTEN, an undivided one-quarter interest in the following described real estate:

The interest of C.C. Bowman in the Clark Seam of Coal a/k/a the Roden Coal Company's Lower Seam under the following three tracts:

### **TOWNSHIP 22 SOUTH, RANGE 4 WEST**

- TRACT 1: THE NE/4 OF THE SE/4 OF SECTION 4.  
TRACT 2: THE S/2 OF THE SE/4 OF NE/4 OF SECTION 9.  
TRACT 3: THE W/2 OF THE NW/4; NE/4 OF THE NW/4;  
SW/4 OF THE SW/4 OF SECTION 10.

It is the intent of the grantors and grantees herein, to distribute the above described real estate in the amounts and proportions as provided in the dissolution agreements of Roden Coal Company.

TO HAVE AND TO HOLD unto Grantees, their heirs and assigns forever; subject however to the following:

1. Current ad valorem taxes.
2. Easements, restrictions, reservations, covenants and rights of way of record.

To have and to hold unto the said grantees, their heirs and assigns forever.

Given under our hands and seal, this the 29 day of May,  
2004.

Amy E. Witten  
AMY ELIZABETH WITTEN

John Warren Witten  
JOHN WARREN WITTEN

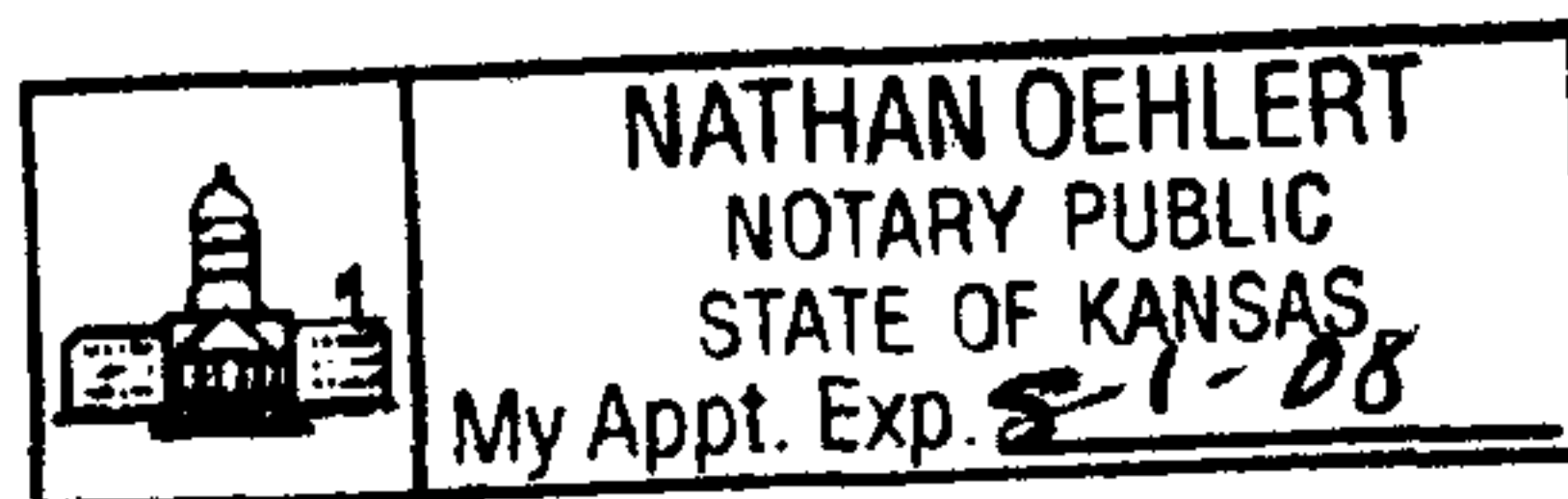
State of KANSAS  
County of Douglas

I, Nathan Oehlert, a Notary Public in and for said County and State, hereby certify that AMY ELIZABETH WITTEN, a single woman, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal the 29<sup>th</sup> day of May, A.D. 2004.

My commission expires:  
5-1-08

[Signature]  
In and for Capitol Federal



State of KANSAS  
County of Douglas

I, Nathan Oehlert, a Notary Public in and for said County and State, hereby certify that JOHN WARREN WITTEN, a single man, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal the 29 day of May, A.D. 2004.

My commission expires:  
5-1-08

[Signature]  
In and for Capitol Federal

